

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>06/12/2023</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JASON GOODMAN,

Plaintiff,

-v-

CHRISTOPHER ELLIS BOUZY, *et al.*,

Defendants.
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ORDER

21-CV-10878 (AT) (JLC)

JAMES L. COTT, United States Magistrate Judge.

In its Order and Report and Recommendation dated May 8, 2023 (“May 8 R & R”), the Court recommended that defendants Benjamin Wittes’ and Nina Jankowicz’s motion for sanctions against plaintiff Jason Goodman in the form of a filing injunction be granted, but that their request for attorneys’ fees be denied. *See* May 8 R & R (Dkt. No. 203), at 37-38. Defendants Wittes and Jankowicz have now moved for reconsideration of the denial of attorneys’ fees under Rule 60(b) of the Federal Rules of Civil Procedure and S.D.N.Y. Local Rule 6.3. *See* Notice of Motion dated May 16, 2023 (Dkt. No. 208). They contend that new evidence – in the form of a public YouTube broadcast in which Goodman “(i) made clear that he does not view the sanctions imposed as sufficient to deter him from future litigation misconduct and (ii) gloated about having caused financial damage to certain defendants by forcing them to incur significant legal fees in defending against his frivolous claims” – supports the motion. Memorandum of Law in Support of Motion for Reconsideration (“Def. Mem.”), at 1-2 (Dkt. No. 209). On May 30, 2023, Goodman

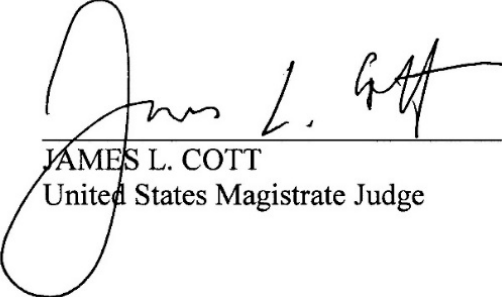
filed a response in opposition to the motion (Dkt. No. 216), and defendants replied on June 5, 2023 (Dkt. No. 218).

While it may well be that “financial disincentives . . . [will be] necessary to deter [Goodman] from bringing groundless lawsuits in the future,” Def. Mem. at 3, as defendants argue, the Court will not reconsider that portion of its May 8 Report and Recommendation denying the request for attorneys’ fees. The Court is of the view that the filing injunction that it has recommended is a sufficient remedy at this time, notwithstanding the new evidence that defendants have offered. *See* May 8 R & R at 37-38 (citing cases). Defendants are free, of course, to seek this relief from Judge Torres in filing an objection to this Report and Recommendation.

Accordingly, the motion for reconsideration is denied. The Clerk is respectfully directed to close docket number 208 and mark it as “denied.”

SO ORDERED.

Dated: June 12, 2023
New York, New York



JAMES L. COTT
United States Magistrate Judge